



LEGAL AID ONTARIO  

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**WHAT YOU NEEDED TO ASK ME:  
NEW TOOLS AND TRAINING TO  
ENHANCE MENTAL HEALTH LEGAL  
ADVOCACY**

Tuesday, November 17, 2015 (1:30 – 3:00 pm)

2015 Human Services and Justice Coordinating Committee  
Conference

# Agenda

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- Overview of Legal Aid Ontario's Mental Health Strategy
- Background to Guided Interview Tool Project
- Review and Demo of Draft Guided Interview Tool
- Group discussion and report back on the Draft Guided Interview Tool
- Next Steps for the Guided Interview Tool Project

# Mental Health Strategy @ LAO

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- **Mid 2012:** LAO's Board of Directors approved development of a Mental Health Strategy (MHS) with a five-year mandate
- **Early 2013:** Work on the MHS began
- The objectives of the Strategy:
  - ▣ **Scope**                      Review all LAO services and mandate through a mental health lens
  - ▣ **Study**                        How does MH&A intersect with LAO?
  - ▣ **Sequence**                  Set strategic goals and specific yearly initiatives
  - ▣ **Stakeholders**            Involve stakeholders in the initial and ongoing development of the strategy, and in new partnership initiatives

# Mental Health Strategy @ LAO

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- **First-half 2014:** Province-wide consultations took place: 24+ in-person consult sessions; 2500+ downloads of paper; 65+ written submissions

*Key theme across all providers and stakeholders: lawyers need MH training to provide more effective advocacy*

- **Early 2014:** Partnership established with Mental Health Commission of Canada
- **August 2014:** External Training Advisory Committee convened. Membership includes academics, private bar, staff lawyers, clinic lawyers, clients, and MH service providers

# Training Needs of Advocates

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- **Independence:** what is the relationship between rights and mental health issues? What is the role of an advocate?
- **Understanding:** how can an advocate identify client abilities, needs and options beyond simplistic proxy labels or diagnoses? How can an initial point of contact unpack multiple and intersecting legal issues?
- **Practical “mental health first aid”:** communication skills, understanding illnesses, anti-oppression and trauma-informed, service options
- **Effective advice:** takes into account secondary consequences; bail and diversion terms that setup clients to fail; social and health factors which contribute to recidivism;
- **Communities of Practice:** ongoing support, mentorship and second chair opportunities, practitioner wellness and self-care
- **Locality:** Every court and community has different practices and services

# Training Outcomes for LAO

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- Demonstrate an effective, province-wide legal aid response to federal and provincial MH strategies
- A framework for quality assurance, higher qualification standards, and enforceable practice standards
- Modernize key performance indicators, better measure outcomes, and better identify client needs
- Recognize and qualify expert practitioners & reward dedication with, for example, appellate level work
- Recognition of legal aid as a critical mental health rights advocacy organization in Ontario
- Greater confidence and job satisfaction for practitioners
- Greater willingness of practitioners to work with MH clients – increasing systemic capacity and anticipating growth

# Training Models – BC Example

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- Other professions face these same challenges
- MHCC and general practitioner physicians in BC – 2009 Survey
  - ▣ No practical training working with MH patients
  - ▣ No framework for providing quality service
  - ▣ No provincial standards or performance measures
  - ▣ Low job satisfaction of physicians
  - ▣ Physicians avoid clients with MH issues, which decreases capacity of the system and creates emergency patients
  - ▣ No communities of practice of improvement

# Training Models – BC Example

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- MHCC & BC Physicians develop “Practice Support Program” with key features:
  - ▣ Standard intake and service options tools
  - ▣ Guides to interviewing clients to identify needs and options
  - ▣ Reference material with practical information related to social and health risk factors and what to do about it
  - ▣ Follow-up guides for more detailed assessment of multiple and intersecting needs over the longer-term



# Training Models – BC Outcomes

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- 47% reduction in the use of prescription medications – “using skills not pills”
- 92% of GPs felt training improved patient care
- 68% of GPs reported higher job satisfaction
- 82% of patients felt increased sense of partnership and comfort in talking to physician
- Engaged patients and docs who can work on multiple and intersecting issues over time
- GPs reported greater willingness and capacity to take on MH patients
- Recognized province-wide practice standards, a wealth of new key performance indicators and success measures, ongoing improvements in quality assurance

# Training Models – Legal Aid

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- How can this model be adapted to the legal aid system?

*Live Demo – [Training Website and Tools](#)*

# Training Program – Next Steps

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- Fall 2015
  - ▣ Finalize criminal law materials and curriculum
  - ▣ Develop apps for guided interview tool and data gathering
  - ▣ Pilot project at court houses in Toronto with duty counsel and private bar counsel
  - ▣ Data gathering and efficacy assessments, client satisfaction surveys
- Early 2016
  - ▣ Report on results and analyze outcomes
  - ▣ Seek to scale up and adapt training to other practice areas
  - ▣ Develop package to share with other provincial legal aid plans

# The Guided Interview Tool Project

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- The Guided Interview Tool Project initiated in partnership with Canadian Mental Health Association Ontario in 2014.
- An Advisory Committee was created and has been meeting over the last year to determine the goals, utility, and evaluation plan for the Guided Interview Tool.
- An initial draft of the Guided Interview Tool is under active development with preliminary stakeholder “crowdsourcing” set to begin



Canadian Mental  
Health Association  
Ontario  
*Mental health for all*

Association canadienne  
pour la santé mentale  
Ontario  
*La santé mentale pour tous*

# Project Advisory Committee

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- The Advisory Committee for the Guided Interview Tool Project include representatives from:
  - Legal aid staff and duty counsel lawyers
  - CMHA staff across the province
  - Human Services and Justice Coordinating Committees
  - Person with Lived Experience
  - Community legal clinic lawyers and staff
  - Criminal lawyers
  - Mental health and justice academics
  - Court support workers



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# Demo of the Guided Interview Tool

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- Conceptual Draft of the Guided Interview Tool  
Demo



# Crowdsourcing exercise

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- To help the development of the Guided Interview Tool, please review the draft resource with your table of workshop participants.
- Identify the intersections between mental health and criminal law. Identify:
  - ▣ What other factors intersect?
  - ▣ What consequences have been overlooked?
  - ▣ What else should lawyers know?
- *Report back with your findings*

# Next Steps for Guided Interview Tool Development

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- We will work with the Advisory Committee to include feedback from the HSJCC Conference workshop session into the Guided Interview Tool.
- Further stakeholder consultations will be held over the Fall 2015 and Winter 2016 to improve and finalize the Guided Interview Tool for piloting.
- Incorporate the Guided Interview Tool into the larger LAO Mental Health Strategy Training Program for piloting with duty counsel and private bar counsel in court houses.



# Contacts

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